

DETAILED ACTION

1. This is a non-final first Office action on the merits. Currently, claims 1-36 are pending.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 23-33 and 36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "particularly strong" in claims 23, 25, 31, and 36 is a relative term which renders the claim indefinite. The term "particularly strong" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

The dependent claims 24-31 are also rejected because they fail to add substantial limitations to remedy the deficiencies of the claims that they depend from.

The term "consistently demonstrated" in claim 32 is a relative term which renders the claim indefinite. The term "consistently demonstrated" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

The dependent claim 33 is also rejected because it fails to add substantial limitations to remedy the deficiencies of the claim that it depends from.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-18 and 23-33 are rejected under 35 U.S.C. 102(b) as being anticipated by the 1999-2000 University of Florida Undergraduate Catalog (“the UF catalog”).

As per claim 1, the UF catalog discloses a method for business career development, comprising:

defining relevant competencies for a business career, each competency having requirements to be satisfied for that competency to be attained (see “Industrial and Systems Engineering 1” on pages 2-4, disclosing courses required in preparation for a career in industrial and systems engineering; see “Academic Regulations” on pages 8-9, disclosing receiving credit for performance in a course);

periodically identifying one or more competencies to be attained by a student during a period (see “Industrial and Systems Engineering 1” on page 2, disclosing allowing the student to identify and enroll in technical elective courses throughout their curriculum);

for each identified competency, selecting a coach to assist the student in attaining the competency and to evaluate whether the student has satisfied the competency requirements (see “Academic Regulations” on page 9, disclosing having an instructor assign grades based on the student's performance); and

when the selected coach for the competency indicates that the student has satisfied the requirements of the competency, designating the student as having attained that competency (see “Academic Regulations” on pages 8-9, disclosing receiving a passing or failing grade for a course); and

when the student has attained each of the competencies for the business career, designating the student as developed in that business career (see “Industrial and Systems Engineering 1” on pages 2-4, disclosing awarding the student with a degree after successful completion of the curriculum).

As per claim 2, the UF catalog discloses a method wherein the student is responsible for identifying their own competencies to be attained during the period (see “Industrial and Systems Engineering 1” on page 2, disclosing allowing the student to identify and enroll in technical elective courses throughout their curriculum).

As per claim 3, the UF catalog discloses a method wherein the student identifies business projects through which the student can satisfy the requirements of a competency (see "Industrial and Systems Engineering 1" on page 6, disclosing the Integrated Product and Process Design course and the EIN 4335 course; see “Industrial and Systems Engineering 2” on pages 2-3 for the descriptions of these project courses).

As per claim 4, the UF catalog discloses a method wherein the selected coach for a competency assists the student in identifying business projects through which the student can satisfy the requirements of a competency (see "Industrial and Systems Engineering 1" on page 6, disclosing the Integrated Product and Process Design course and the EIN 4335 course; see

“Industrial and Systems Engineering 2” on pages 2-3 for the descriptions of these project courses).

As per claim 5, the UF catalog discloses wherein defining a competency includes identifying objective knowledge-based and skill-based requirements for the competency (see “Industrial and Systems Engineering 1” on page 1, disclosing integrating knowledge with technological skills).

As per claim 6, the UF catalog discloses a method including before identifying competencies for the student, performing a baseline assessment to determine the competencies that the student has already attained (see “Academic Advising” on pages 2-14, disclosing placement tests that can give students credit for certain courses).

As per claim 7, the UF catalog discloses a method wherein the competencies are organized into competency areas (see “Industrial and Systems Engineering 1” on pages 2-4, disclosing organizing courses by semester and into "critical tracking" courses).

As per claim 8, the UF catalog discloses a method including accessing a computer system that provides a description of the competencies and their requirements and provides resources to assist in the satisfying of the requirements (see “Industrial and Systems Engineering 2” which discloses course descriptions as well as the departmental website; see “Academic Advising” on page 1, which discloses a website to assist and advise students).

As per claim 9, the UF catalog discloses a method wherein the student is responsible for identifying their own competencies to attain during a period, wherein the student identifies business projects through which the student can satisfy the requirements of a competency, and including before identifying the competencies, performing a baseline assessment to determine

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the competencies that the student has already attained (see the references under claims 2, 3, and 6, above).

As per claim 10, the UF catalog discloses a method for business career development, comprising:

providing competencies for the business career, each competency having requirements to be satisfied for that competency to be attained (see “Industrial and Systems Engineering 1” on pages 2-4, disclosing courses required in preparation for a career in industrial and systems engineering; see “Academic Regulations” on pages 8-9, disclosing receiving credit for performance in a course);

performing a baseline assessment to determine the competencies that the student has already attained (see “Academic Advising” on pages 2-14, disclosing placement tests that can give students credit for certain courses);

for each competency that the student has not attained as indicated by the baseline assessment, selecting a coach to assist the student in attaining the competency by satisfying the requirements of the competency (see “Academic Regulations” on page 9, disclosing having an instructor assign grades based on the student's performance); and

when the selected coach for the competency indicates that the student has satisfied the requirements of the competency, designating the student as having attained that competency (see “Academic Regulations” on page 9, disclosing having an instructor assign grades based on the student's performance); and

when the student has attained the competencies of the business career, designating the student as developed in that business career (see “Industrial and Systems Engineering 1” on pages 2-4, disclosing awarding the student with a degree after successful completion of the curriculum).

As per claim 11, the UF catalog discloses a method wherein the student identifies competencies to be next attained (see “Industrial and Systems Engineering 1” on page 2, disclosing allowing the student to identify and enroll in technical elective courses throughout their curriculum).

As per claim 12, the UF catalog discloses a method wherein the competencies are identified periodically (see “Industrial and Systems Engineering 1” on page 2, disclosing allowing the student to identify and enroll in technical elective courses throughout their curriculum).

As per claim 13, the UF catalog discloses a method wherein the student identifies business projects through which the student can satisfy the requirements of a competency (see “Industrial and Systems Engineering 1” on page 6, disclosing the Integrated Product and Process Design course and the EIN 4335 course; see “Industrial and Systems Engineering 2” on pages 2-3 for the descriptions of these project courses).

As per claim 14, the UF catalog discloses a method wherein the selected coach for a competency assists the student in identifying business projects through which the student can satisfy the requirements of a competency (see *id.* above).

As per claim 15, the UF catalog discloses a method wherein the providing of a competency includes identifying an objective and knowledge-based and skill-based requirements

for the competency (see “Industrial and Systems Engineering 1” on page 1, disclosing integrating knowledge with technological skills).

As per claim 16, the UF catalog discloses a method wherein the competencies are organized into competency areas (see “Industrial and Systems Engineering 1” on pages 2-4, disclosing organizing courses by semester and into "critical tracking" courses).

As per claim 17, the UF catalog discloses a method including accessing a computer system that provides a description of the competencies and their requirements and provides resources to assist in satisfying the requirements (see “Industrial and Systems Engineering 2” which discloses course descriptions as well as the departmental website; see “Academic Advising” on page 1, which discloses a website to assist and advise students).

As per claim 18, the UF catalog discloses a method wherein the student identifies one or more competencies to be next attained, and wherein the student identifies business projects through which the student can satisfy the requirements of a competency to be attained (see “Industrial and Systems Engineering 1” on page 2, disclosing allowing the student to identify and enroll in technical elective courses throughout their curriculum; see "Industrial and Systems Engineering 1" on page 6, disclosing the Integrated Product and Process Design course and the EIN 4335 course; see “Industrial and Systems Engineering 2” on pages 2-3 for the descriptions of these project courses).

As per claim 23, the UF catalog discloses a method for business career development, the method comprising:

providing competencies for the business career, each competency having requirements to be satisfied for that competency to be attained (see “Industrial and Systems

Engineering 1" on pages 2-4, disclosing courses required in preparation for a career in industrial and systems engineering; see "Academic Regulations" on pages 8-9, disclosing receiving credit for performance in a course); and for each provided competency, selecting a coach to assist a student in attaining the competency by satisfying the requirements of the competency (see "Academic Regulations" on page 9, disclosing having an instructor assign grades based on the student's performance); when the student has satisfied the requirements of the competency, designating the student as having attained the competency (see "Academic Regulations" on pages 8-9, disclosing receiving a passing or failing grade for a course); and when the student is particularly strong in the competency, devising a plan to increase the student's strength in the competency (see "Academic Advising" on pages 2-14, disclosing different academic plans for students with different scores on placement tests).

As per claim 24, the UF catalog discloses a method wherein the coach determines whether the student has satisfied the requirements of a competency (see "Academic Regulations" on page 9, disclosing having an instructor assign grades based on the student's performance).

As per claim 25, the UF catalog discloses wherein the coach determines whether the student is particularly strong in a competency (see "Academic Regulations" on page 9, disclosing having an instructor assign grades based on the student's performance; see page 2, disclosing where an academic advisor determines a student's placement).

As per claim 26, the UF catalog discloses a method wherein the student periodically identifies competencies to be next attained (see “Industrial and Systems Engineering 1” on page 2, disclosing allowing the student to identify and enroll in technical elective courses throughout their curriculum).

As per claim 27, the UF catalog discloses a method wherein the devised plan identifies a way to increase the breadth of the student's knowledge and skills in the competency (see “Academic Advising” on pages 2-14, disclosing different academic plans for students with different scores on placement tests).

As per claim 28, the UF catalog discloses a method wherein the devised plan identifies a way to increase the depth of the student's knowledge and skills in the competency (see “Academic Advising” on pages 2-14, disclosing different academic plans for students with different scores on placement tests).

As per claim 29, the UF catalog discloses a method wherein the requirements of a competency specify a threshold level for the competency and the devised plan for a competency specifies an expert level in the competency (see “Academic Advising” on pages 2-14, disclosing different academic plans for students meeting different threshold scores on placement tests; see “Academic Regulations” on page 9, disclosing having an instructor assign different grade levels based on the student's performance).

As per claim 30, the UF catalog discloses a method including performing a baseline assessment to identify competencies that the student has already attained (see “Academic Advising” on pages 2-14, disclosing placement tests that can give students credit for certain courses).

As per claim 31, the UF catalog discloses a method including performing a baseline assessment to identify competencies that the student has already attained and wherein the student periodically identifies competencies to be next attained, wherein the coach determines whether the student is particularly strong in a competency, and wherein the devised plan identifies way to increase the breadth and depth of the student's knowledge and skills in the competency (see references for claims 25-28 and 30 above).

As per claim 32, the UF catalog discloses a method for business career development, the method comprising:

providing competencies for the business career, each competency having requirements to be satisfied for that competency to be attained (see "Industrial and Systems Engineering 1" on pages 2-4, disclosing courses required in preparation for a career in industrial and systems engineering; see "Academic Regulations" on pages 8-9, disclosing receiving credit for performance in a course);

for each provided competency, selecting a coach to assist a student in attaining the competency by satisfying the requirements of the competency (see "Academic Regulations" on page 9, disclosing having an instructor assign grades based on the student's performance); and

when the student has consistently demonstrated over time satisfaction of the requirements of the competency, designating the student as having attained the competency (see "Academic Regulations" on pages 8-9, disclosing receiving a passing or failing grade for a course that takes place over a semester); and

when the student has attained each of the provided competencies, designating the student as developed in that business career (see “Industrial and Systems Engineering 1” on pages 2-4, disclosing awarding the student with a degree after successful completion of the curriculum).

As per claim 33, the UF catalog discloses a method wherein the requirements define a threshold level of proficiency in the competency (see “Academic Advising” on pages 2-14, disclosing different academic plans for students meeting different threshold scores on placement tests).

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 19 is rejected under 35 U.S.C. 102(e) as being anticipated by U.S. pre-grant publication number 2007/0203710 to Habichler et al (“Habichler”).

As per claim 19, Habichler discloses a method for project manager development, comprising:

providing competencies for a project manager, each competency having requirements to be satisfied for that competency to be attained (see figure 6A, depicting competencies; see paragraph 25: lines 8-19, disclosing requirements necessary to obtain a competency);

identifying by a student seeking to become a project manager one or more competencies to be next attained (see figures 5A-5B, depicting competencies for an employee seeking advancement; see also figures 6C, 8A-E, depicting competencies necessary for certain job positions);

for each identified competency, selecting a coach to assist the student in attaining the competency by satisfying the requirements of the competency (see figures 7A-B, depicting taking instructor-led courses as part of the requirements for satisfying the competency); and

when the selected coach for the competency indicates that the student has satisfied the requirements of the competency, designating the student as having attained that competency (see figure 5A: items 530-536, depicting accomplishments achieved in the competencies); and

when the student has attained the competencies of a project manager, designating the student as a project manager (see figures 8A-E, depicting competencies necessary to obtain certain positions within a career path).

5. Claims 34-36 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. pre-grant publication number 2004/0024569 to Camillo ("Camillo").

As per claim 34, Camillo discloses a method for business career development, the method comprising:

providing competencies for the business career, each competency having requirements to be satisfied for that competency to be attained (see paragraph 25: lines 1-6; paragraph 30: lines 1-13; paragraph 31: lines 1-10);

for each provided competency, selecting a coach to assist a student in attaining the competency by satisfying the requirements of the competency (see paragraph 26: lines 9-15; paragraph 31: lines 27-47); and

when the student has satisfied the requirements of the competency, designating the student as having attained the competency (see paragraph 29: lines 1-5; paragraph 30: lines 1-13; paragraph 31: lines 1-10).

periodically performing a baseline assessment to determine whether the student still satisfies the requirements of competencies already attained (see paragraph 3: lines 4-12; paragraph 19: lines 27-29).

As per claim 35, Camillo discloses a method wherein when it is determined that the student no longer satisfies the requirements of a competency, already attained, developing a plan for the student to satisfy the requirements of the competency (see paragraph 25: lines 1-12; paragraph 31: lines 1-16; paragraph 38: lines 1-9; paragraph 13: lines 4-12; paragraph 19: lines 27-29).

As per claim 36, Camillo discloses a method for business career development of a student, the method comprising:

providing competencies for the business career, each competency having requirements to be satisfied for that competency to be attained (see paragraph 25: lines 1-6; paragraph 30: lines 1-13; paragraph 31: lines 1-10);

performing an initial baseline assessment to identify competencies that the student has already attained (see paragraph 16: lines 1-8; paragraph 25: lines 1-6; paragraph 31: lines 27-31);

identifying by the student of competencies to be next attained (see paragraph 16; paragraph 29: lines 4-5; paragraph 45: lines 13-17; paragraph 46: lines 1-5; paragraph 47: lines 7-16);

for each identified competency, selecting a coach to assist a student in attaining the competency by satisfying the requirements of the competency (see paragraph 26: lines 9-15; paragraph 31: lines 27-47);

when the student has satisfied the requirements of the competency, designating by the selected coach that the student has attained the competency (see paragraph 29: lines 1-5; paragraph 30: lines 1-13; paragraph 31: lines 1-10); and

when the student is particularly strong in the competency, devising a plan to increase the student's strength in the competency (see paragraph 25: lines 1-12; paragraph 31: lines 1-16; paragraph 38: lines 1-9; paragraph 39: lines 1-3; paragraph 13: lines 4-12; paragraph 19: lines 27-29);

periodically performing a baseline assessment to determine whether the student still satisfies the requirements of competencies already attained (see paragraph 3: lines 4-12; paragraph 19: lines 27-29); and

when the student has attained each of the competencies for the business career, designating the student as developed in that business career (see paragraph 31).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Habichler, as applied above, in view of Official Notice.

As per claim 20, Habichler does not explicitly disclose a method wherein the competencies are organized into competency areas that include self-management, team management, and project planning and control.

Habichler does teach organizing the competencies into comparable area (see figure 6A, depicting organizing competencies into areas that include personal skills, leadership, and project experience).

Official Notice is taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made to reorganize these competency areas as the administrator sees fit (see Habichler: paragraph 74: lines 4-10). Specifically, "personal skills," as depicted in item 602, could be renamed or could include "self-management." "Leadership," as depicted in item 604, could be renamed or could include "team management." "Project experience," as depicted in item 608, could be renamed or could include "project planning and control." Similar adjustments could be made to other areas, including "business skills," as depicted in item 602. One of ordinary skill in the art would be motivated to reorganize these competencies in order to tailor them to his preferences or company needs (see Habichler: paragraph 74).

As per claim 21, Habichler discloses a method wherein the competencies are organized into competency areas that include leadership (see figure 6A: item 604).

Habichler does not explicitly disclose a method wherein the competencies are organized into competency areas that include financial management and risk management.

Official Notice is taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made to reorganize these competency areas as the administrator sees fit (see Habichler: paragraph 74: lines 4-10). Specifically, "business skills," as depicted in item 602, could be renamed or could include "financial management." "Decision making," as depicted in item 604, could be renamed or could include "risk management." Similar adjustments could be made to other areas, including "business acumen," as depicted in item 604. One of ordinary skill in the art would be motivated to reorganize these competencies in order to tailor them to his preferences or company needs (see Habichler: paragraph 74).

As per claim 22, Habichler does not explicitly disclose a method wherein the competencies are organized into competency areas that include understanding the company.

Official Notice is taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made to reorganize these competency areas as the administrator sees fit (see Habichler: paragraph 74: lines 4-10). Specifically, "business acumen," as depicted in item 604, could be renamed or could include "understanding the company." One of ordinary skill in the art would be motivated to reorganize these competencies in order to tailor them to his preferences or company needs (see Habichler: paragraph 74).

Additional Prior Art

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. pre-grant publication numbers 2003/0055699 and 2005/0015291 to O'Conner, directed to managing employee development.

U.S. patent number 6,944,624 to Orton, directed to creating and implementing personalized training programs.

U.S. patent number 7,260,355 to L'Allier, directed to automated systems for creating individualized learning programs.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neil R. Kardos whose telephone number is (571)270-3443. The examiner can normally be reached on Mon-Thu and alternating Fridays from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached on (571) 272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Naeem Haq/
Primary Examiner, Art Unit 4172

Neil R. Kardos
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